

2-8-07

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : HOFFBECK, Mark David
SERIAL NO : 10/785,146
FILED : February 24, 2004
TITLE : INBRED MAIZE LINE PH3RC

Grp./A.U. : 1638
Examiner : MEHTA, Ashwin D.
Conf. No. : 8164
Docket No. : P06268US02 - PHI 1433C

Commissioner for Patents
Attention: Refund Section, Accounting Division, Office of Finance
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
(Improper charge of Deposit Account)
(37 CFR 1.26(b))

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 26-0084 shown on the statement for the month of February, 2007 for the above-identified application.

A copy of the monthly statement, page 4, in which the error referred to occurs accompanies this request.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

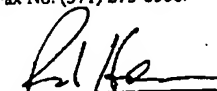
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☐ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Robert A. Hodgson

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II. FEES CHARGED

Code 1202	Claims in excess of 20	\$650.00
Code 1201	Independent claims in excess of 3	\$600.00
Code 1201	Independent claims in excess of 3	\$200.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The Preliminary Amendment filed June 16, 2005 had one new independent claim in excess of 3 and we should have charged \$200.00. However, the Second Preliminary Amendment filed September 15, 2005 included this independent claim in the total. Attached as Exhibit A is the 9/15/2005 Amendment showing "independent" versus "dependent" claims. The PTO made an error in charging the additional amount according to our calculations with this Amendment. As seen on the last page of the 9/15/2005 Amendment, the amount charged to Deposit Account should be \$1,100 and therefore, the Deposit Account should be credited in the amount of \$350.00.

The Amendment filed January 31, 2007 had no additional claims submitted.

What should only have been charged is:

Code 1202	Claims in excess of 20	\$700.00
Code 1201	Independent claims in excess of 3	\$400.00
	TOTAL	\$1,100.00

SEE EXHIBIT A ATTACHED, pages 1-10 (9/15/2005 Second Prelim Amendment) - marked on this exhibit are independent/dependent claims.

IV. MANNER OF REFUND

Please make refund by

☒ crediting Deposit Account No. 26-0084 in the amount of \$350.00.

☐ refunding payment

Respectfully submitted,



ROBERT A. HODGSON, Registration No. 56,375
McKee, Voorhees & Sease, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Fax No. (515) 288-1338
CUSTOMER NO: 27142

Attorneys of Record

Deposit Account Statement

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02/13 750	11673822	P07110US01	4011	\$75.00	\$19,4
02/13 751	11673822	P07110US01	2111	\$250.00	\$19,1
02/13 752	11673822	P07110US01	2311	\$100.00	\$19,0
02/13 753	11673822	P07110US01	2202	\$50.00	\$19,0
02/13 22	5959082	P04666US02 - P763-22	2552	\$1,150.00	\$17,8
02/13 154	11673822	P07110US01; C922-3	8021	\$40.00	\$17,8
02/13 204	5947041	P01628US00; L328-0	2552	\$1,150.00	\$16,6
02/14 131	10762610	P06433US00	2251	\$60.00	\$16,6
02/14 132	10762610	P06433US00	2801	\$395.00	\$16,2
02/14 1990	11466015	P07576US01	2202	\$250.00	\$15,9
02/14 1991	11466015	P07576US01	2201	\$200.00	\$15,7
02/14 967	78509185	B005-15 78/509,185	7005	\$100.00	\$15,6
02/14 1787	77107079	F927-4	7001	\$325.00	\$15,3
02/14 3267	11674707	P07434US01	4011	\$75.00	\$15,2
02/14 3268	11674707	P07434US01	2111	\$250.00	\$15,0
02/14 3269	11674707	P07434US01	2311	\$100.00	\$14,9
02/14 3278	10741262	P06274US01	1814	\$130.00	\$14,8
02/14 3318	11459084	P07277US02	2051	\$65.00	\$14,7
02/14 3319	11459084	P07277US02	2253	\$510.00	\$14,2
02/14 590	11674707	P07434US01; C110-31	8021	\$40.00	\$14,1
02/14 594	11459084	P07277US02; I006-674	8021	\$40.00	\$14,1
02/14 595	11670153	P07805US01 - R016-3	8021	\$40.00	\$14,1
02/14 3402	60889769	P07864US00	2005	\$100.00	\$14,0
02/14 2019	77107183	H445-25	7001	\$325.00	\$13,6
02/14 2044	78821724	E035-1 78/821,724	7001	\$325.00	\$13,3
02/14 2093	77107211	T222-36	7001	\$325.00	\$13,0
02/14 2122	77107222	O007-33	7001	\$325.00	\$12,7
02/14 669	11670153	P07805US01 - R016-3	8021	\$40.00	\$12,6
02/15 1	5975804	P00023US00 - B665-0	2552	\$1,150.00	\$11,5
02/15 118	60856124	P07559US00 - PHI 2323	8021	\$40.00	\$11,4
02/15 127	60856123	P07652US00 - PHI 2273 PHI	8021	\$40.00	\$11,4
02/15 136	60856123	P07652US00; PHI 2273 ABR	8021	\$40.00	\$11,4
02/15 1660	1063505	C409-00 1,063,505	7205	\$200.00	\$11,2
02/15 1661	1063505	C409-00 1,063,505	7201	\$800.00	\$10,4
02/15 3580	10741562	P06267US01	1814	\$130.00	\$10,2
02/16 3	E-REPLENISHMENT		9203	-\$20,000.00	\$30,2
02/16 359	2069769	P035-1 2,069,769	7205	\$100.00	\$30,1
02/16 360	2069769	P035-1 2,069,769	7201	\$400.00	\$29,7
02/16 1245	60890101	P07876US00	1005	\$200.00	\$29,5
02/16 1371	60890107	P07877US00	1005	\$200.00	\$29,3
02/16 928	78822899	D597-6 78/822,899	7001	\$650.00	\$28,7
02/16 1	11030734	P06398US01-PHI 1598C	1806	\$180.00	\$28,5
02/16 1	10785146	P06268US02 - PHI 1433	1202	\$650.00	\$27,8
02/16 2	10785146	P06268US02 - PHI 1433	1201	\$600.00	\$27,2
02/16 3	10785146	P06268US02 - PHI 1433	1201	\$200.00	\$27,0
02/16 1995	78973899	K062-1 78/973,899	7002	\$100.00	\$26,9
02/16 4	10784355	P06603US01	1201	\$200.00	\$26,7
02/20 642	10367417	P04702US01	1251	\$120.00	\$26,6

2007:

P020-1063

add
claim

\$1450

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